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STAAS & HALSEY LLP SUITE 700 1201 NEW YORK AVENUE, N.W. WASHINGTON, DC 20005			WONG, LESLIE	
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UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE BOARD OF PATENT APPEALS
AND INTERFERENCES

Ex parte MAMIKO KURAMOCHI

Appeal 2009-014396
Application 09/785,230
Technology Center 2100

Before ERIC S. FRAHM, ERIC B. CHEN, and BRUCE R. WINSOR,
Administrative Patent Judges.

WINSOR, *Administrative Patent Judge.*

DECISION ON APPEAL

Appellant appeals under 35 U.S.C. § 134(a) from a Final Rejection of claims 1-38, which constitute all the claims pending in this application. We have jurisdiction under 35 U.S.C. § 6(b).

We reverse.

STATEMENT OF THE CASE

Appellant's invention relates to a data processing system and method for inputting data into a fixed format by manipulations on a screen (Spec. 1:4-6). Claim 1, which is illustrative of the invention, reads as follows:

1. A data processing system comprising:

a display control unit implementing a display module displaying at least one format file containing a fixed format, and at least one data file containing item data to be set to the fixed format;

a specifying control unit implementing a specifying module which performs two different operations, a first operation in which the specifying module firstly selects the data file and secondly drags the selected data file to the format file, and a second operation in which the specifying module firstly selects the format file and secondly drags the selected format file to the data file; and

a setting unit setting the item data of the data file to the fixed format of the format file in accordance with the specifying operation.

The Examiner relies on the following prior art in rejecting the claims:

Bence, Jr.	US 6,484,178 B1	Nov. 19, 2002
Estrada	US 6,594,664 B1	July 15, 2003
Yuichi	JP 09-282209 A	Oct. 31, 1997

Claims 1-22 and 24-28 stand rejected under 35 U.S.C. § 103(a) as unpatentable over Bence in view of Estrada.

Claim 23 stands rejected under 35 U.S.C. § 103(a) as unpatentable over Bence and Estrada in view of Yuichi.

Rather than repeat the arguments here, we make reference to the Briefs ((Second Amended) App. Br. filed June 13, 2007; Reply Br. filed Nov. 26, 2007) and the Answer (mailed Sept. 25, 2007) for the respective positions of Appellant and the Examiner.

ISSUE

The pivotal issue presented by Appellant's contentions is: Does Estrada teach or suggest "a specifying control unit implementing a specifying module which performs two different operations . . . [including] a second operation in which the specifying module firstly selects [a] format file and secondly drags the selected format file to [a] data file," as recited in claim 1?

ANALYSIS

The Examiner asserts

Estrada, however, teaches "a specifying control unit implementing a specifying module which performs two different operations, a first operation in which the specifying module firstly selects the data file and second drags the selected data file to the format file, and secondly drags the selected format file to the data file" as the drag and drop is a specifying operation that instructs the system to convert a data file to a fix format file/HTML file (col. 20, lines 46-67; col. 24, lines 23-27; col. 28, lines 20-26 and Fig. 16, element 244).

(Ans. 4.) The Examiner further explains:

Estrada further teaches QuickPlace offers a preset gallery of web presentation formats (i.e., format file), from which the manager of room can choose and then modify the one he

chooses. A room 260 presentation includes a page, or work area 261, an action bar 262, a side bar 263, a path bar 268, and persistent link 269. After a user has created a QuickPlace form, to put this form into action, this or some other *user creates a page using this form*. For example, an inventor may come into the place where this form is stored and address the form by the name given by the author (col. 20, lines 45-53; col. 24, lines 23-27; col. 28, lines 20-26). As such Estrada's preset gallery of web presentation formats are equivalent with Appellant's invention of format file. Once the user selected one of the forms from preset gallery of web presentation formats (i.e., format file) to place it in a room. This action has transformed the selected form to become an object (i.e., Appellant's data file) within the room. As such, Estrada teaching's (*sic*) of placing the HTML form within a room in a web page read-on Appellant's second operation (i.e., reverse the file delivery) as the form after being place inside the room area has become an object which can be interpreted as the data file as claimed.

(Ans. 11-12.)

Appellant contends, *inter alia*:

The combination of Bence Jr. et al. and Estrada et al. is deficient because Estrada et al. fails to provide even a suggestion of a module which performs the recited two different operations. Instead, Estrada et al. merely provides one way to convert data from the non-HTML file to HTML format by dragging a file to a form. Indeed, in contrast to present invention as recited in independent claims 1, 9, and 16, Estrada et al. discloses only "one-way" delivery of a selected file to a target. Stated another way, Estrada et al. teaches selecting and delivering a non-html file to a form, not vice versa. Thus, absent from Estrada et al. is any teaching or suggestion of the second operation of the two-way specifying feature (i.e., a second operation in which the specifying module firstly selects the format file and secondly drags the selected format file to the data file).

(App. Br. 12.)

We agree with Appellant's arguments. We understand the Examiner to be urging that once Estrada's web presentation format (i.e., format file) is selected it becomes an object in a "room" and may be re-characterized as a data file within the room, thus meeting the limitation of "select[ing] [a] format file and . . . drag[ging] the selected format file to [a] data file," as recited in claim 1. However, the operation we understand the Examiner to describe is not a dragging of *one* file (a format file) *to another* file (a data file) but rather the *conversion*, or re-characterization, of a format file into a data file. This is not what the claim recites.

Further, we find the passages of Estrada and Bence relied on by the Examiner would not have taught or suggested to a person of ordinary skill in the art that, in "setting the item data of the data file to the fixed format of the format file" (claim 1), it would be advantageous to selectively drag the data file to the format file or drag the format file to the data file.

Accordingly, we will not sustain the rejection of claim 1 or claims 2-8 and 23-28 dependent thereon. Independent claims 9 and 16 include substantially the same recitation we find missing from the prior art, *supra*. Therefore, we will not sustain the rejections of claim 9, claims 10-15 and 29-33, which depend from claim 9, claim 16, or claims 17-22 and 34-38, which depend from claim 16.

Appeal 2009-014396
Application 09/785,230

DECISION

The decision of the Examiner to reject claims 1-38 is reversed.

REVERSED

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